BILL NO. S-89-03-02

SPECIAL ORDINANCE NO. S-49-89

AN ORDINANCE approving the awarding of Reference #1367 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **BRAYTON CHEMICALS, INC.; CORY ORCHARD SUPPLY CO.; AND ALLEN COUNTY CO-OP ASS'N., INC.** for the Park Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1367 between the City of Fort Wayne, by and through its Department of Purchasing and **BRAYTON CHEMICALS, INC.; CORY ORCHARD SUPPLY CO.; AND ALLEN COUNTY CO-OP ASS'N., INC.** for the Park Department, respectfully for:

> **the purchase of chemicals to maintain the turf and greens on McMillen, Foster and Shoaff golf courses and park areas for the Park Department for 1989;**

involving a total cost of Twenty-Eight Thousand One Hundred Sixty-Two and 45/100 Dollars ($28,162.45) - (Brayton Chemical - $22,801.00; Cory Orchard - $5,135.00; Allen Co. Co-op - $226.45), all as more particularly set forth in said Reference #1367 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Thomas C. Henry
Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 1367 with respect to the purchase of chemicals for the Park Department for 1989. The costs reflect the lowest and most responsible vendors.

EFFECT OF PASSAGE: Chemicals are used to maintain turf and greens on McMillen, Foster and Shoaff golf courses and park areas.

EFFECT OF NON-PASSAGE: Quality of golf courses, turf and greens and park areas cannot be maintained to acceptable standards and loss of revenue will be incurred.

MONIES INVOLVED:	Brayton Chemical	$22,801.00 +/-
	Cory Orchard	$5,135.00 +/-
	Allen Co. Co-op	$226.45 +/-

SOURCE OF FUNDING:	Park Department	
	121-121-R211-4245	$6,113.84
	121-121-R212-4245	$7,742.62
	121-121-R213-4245	$6,034.43
	121-121-P280-4245	$8,180.06
	121-121-P230-4245	$91.50

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

REF NO.: 1367

DEPT.: PARK DEPARTMENT

DATE: 03/07/89

ITEM/SERV.: CHEMICALS

PURCHASING INFORMATION

ADVERTISED BID: YES

DATES ADVERTISED: 1/27/89 & 2/3/89

OPENING DATE: 2/16/89

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

NO. OF VENDORS NOTIFIED: 13

NO. OF VENDORS REQUESTING BID INFO: 9

NO. OF VENDORS RESPONDING: 4

NO. OF VENDORS DISQUALIFIED:

NO. OF VENDORS NOT RESPONDING: 9

DATE SENT TO DEPT. FOR REOMMENDATION: 2/17/89

DATE RECOMMENDATION REC'D IN PURCHASING: 3/7/89

DATE INFO SENT TO LAW DEPT.: 3/7/89

INTRODUCTION DATE: 3/14/89

DISCUSSION DATE:

PASSAGE DATE:

ORDINANCE NO.:

AMOUNT APPROVED AND/OR SPENT LAST YEAR:
(IF APPLICABLE)

REFERENCE NO. 1367
PARK DEPT/CHEMICALS

ITEM	EST QTY	UNIT	BRAYTON CHEM		CORY ORCHARD		INDIANA SEED		ALLEN CO CO-OP		LESCO
CALA GRAN	200	LB	$2.25	$450.00	$1.44	$288.90	N/B	$0.00	N/B	$0.00	NO BID
CALO CHLOR	75	LB	$21.30	$1,597.50	$24.21	$1,815.87	N/B	$0.00	N/B	$0.00	
DACONIL	60	GAL	$29.40	$1,764.00	$29.40	$1,764.00	N/B	$0.00	$34.59	$2,075.28	
TREXSAN	30	GAL	$26.17	$785.10	N/B	$0.00	N/B	$0.00	$30.29	$908.82	
PROXSOL	96	LB	$5.86	$562.56	$5.34	$512.32	N/B	$0.00	$6.75	$648.28	
AQUA GROW	50	GAL	N/B	$0.00	$23.29	$1,164.50	N/B	$0.00	$24.41	$1,220.50	
FERRAS SULF	50	LB	N/B	$0.00	$0.10	$5.00	N/B	$0.00	$0.17	$8.45	
BAYLETON	55	LB	$25.10	$1,380.40	$27.17	$1,494.60	N/B	$0.00	$30.11	$1,656.25	
OFTANOL	7200	LB	$1.33	$9,576.00	$1.49	$10,756.80	N/B	$0.00	$1.59	$11,478.60	
TREX BENT	4	GAL	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
DURSBAN	8	GAL	$45.20	$361.60	$10.44	$83.52	N/B	$0.00	N/B	$0.00	
VORLAN	24	LB	$18.52	$444.48	$21.73	$521.54	N/B	$0.00	$22.05	$529.20	
LAP COMP	7	LB	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
FINE GRIT	7	LB	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
COURSE GRIT	7	LB	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
DUOSAN	12	LB	$10.13	$121.56	$11.85	$142.24	N/B	$0.00	N/B	$0.00	
SUBDUE	12	GAL	$142.75	$1,713.00	$160.88	$1,930.56	N/B	$0.00	$42.34	$508.05	
LIMIT	2	GAL	N/B	$0.00	$90.00	$180.00	N/B	$0.00	N/B	$0.00	
RUBIGAN	3	GAL	$201.40	$604.20	$71.01	$213.04	N/B	$0.00	$236.94	$710.82	
BANNER	1	GAL	225	$225.00	$205.29	$205.29	N/B	$0.00	$211.76	$211.76	
DYRENE	5	GAL	$179.35	$896.75	$38.82	$194.11	N/B	$0.00	$40.87	$204.35	
PRAMITOL	75	GAL	$15.90	$1,192.50	$16.98	$1,273.20	N/B	$0.00	$16.47	$1,235.25	
PRINCEP	100	GAL	$9.79	$979.20	$12.32	$1,232.40	N/B	$0.00	$13.39	$1,339.20	
BALAN	60	EA	$15.50	$930.00	$19.28	$1,156.80	N/B	$0.00	$20.30	$1,218.00	
MANZATE	144	LB	$1.72	$247.68	$2.26	$325.20	N/B	$0.00	$2.38	$342.51	
TRIUMPH	2	GAL	$175.00	$350.00	$159.12	$318.24	N/B	$0.00	N/B	$0.00	
ACCLAIM	2	GAL	$225.00	$450.00	$260.67	$521.34	N/B	$0.00	$294.12	$588.24	
ROUNDUP	8	GAL	$71.50	$572.00	$80.25	$642.00	N/B	$0.00	$79.90	$639.20	
KOBAN	48	LB	$14.57	$699.20	$16.85	$808.88	N/B	$0.00	$17.06	$818.80	
BLAZON	10	GAL	$25.00	$250.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
DACTHAL	65	GAL	$13.41	$871.52	$32.90	$2,138.50	N/B	$0.00	$38.59	$2,508.22	
PROGRASS	1	GAL	$66.00	$66.00	$62.11	$62.11	N/B	$0.00	N/B	$0.00	
MCPP	5	GAL	$15.94	$79.70	$10.53	$52.64	N/B	$0.00	N/B	$0.00	
SEVIN	1	GAL	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
PRESAN	5	GAL	26	$130.75	$22.41	$112.05	N/B	$0.00	$30.72	$153.60	
BANVIL	1	GAL	N/B	$0.00	$63.45	$63.45	N/B	$0.00	$72.12	$72.12	
BANOL	6	QT	$48.89	$293.34	$51.76	$310.56	N/B	$0.00	$54.49	$326.96	
MILKY SPORE	1	EA	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
GREEN KLEEN	1	EA	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
CHARIOT	1	EA	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
PANA SEA	1	EA	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
SPRAY AIDE	1	EA	N/B	$0.00	$18.75	$18.75	N/B	$0.00	N/B	$0.00	
AGRI-PLEX	1	EA	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
AGRI-PLEX	4	GAL	N/B	$0.00	N/B	$0.00	N/B	$0.00	N/B	$0.00	
FUNGO	72	LB	$13.65	$982.80	$15.78	$1,135.98	N/B	$0.00	$16.00	$1,152.00	
SURFLAN	5	QT	$18.30	$91.50	$20.00	$100.00	N/B	$0.00	$19.00	$95.00	
SULPHUR	5	GAL	$9.50	$47.50	$8.77	$43.84	N/B	$0.00	N/B	$0.00	
ANTI-FOAM	48	QT	N/B	$0.00	$9.88	$474.24	N/B	$0.00	N/B	$0.00	
FERROMEC	65	GAL	N/B	$0.00	$6.76	$439.40	N/B	$0.00	$6.47	$420.68	
TURF-CAL	5	GAL	$5.75	$28.75	N/B	$0.00	N/B	$0.00	N/B	$0.00	

PENNCROSS	25	LB	$9.00	$225.00	$7.73	$193.25	N/B	$0.00	$8.82	$220.59
PENNWAY	50	LB	N/B	$0.00	$6.12	$306.00	N/B	$0.00	$8.13	$406.30
PENNLINKS	50	LB	N/B	$0.00	$8.37	$418.50	N/B	$0.00	N/B	$0.00
SWIFT&SURE	1	LB	N/B	$0.00	$1.64	$1.64	$1.32	$1.32	$1.70	$1.70
SHADY TURF	1	LB	N/B	$0.00	$2.16	$2.16	$1.78	$1.78	N/B	$0.00
NORTHROP KING	100	LB	N/B	$0.00	$0.75	$75.00	$1.39	$139.00	N/B	$0.00
OVERSEEDER	300	LB	N/B	$0.00	$2.32	$696.00	$2.00	$600.00	N/B	$0.00
ATHLETIC PRO	1	LB	N/B	$0.00	$2.14	$2.14	$1.67	$1.67	$2.25	$2.25
DELIVERY TIME				14 DAYS		21 DAYS		14 DAYS		4/30/89
FOB				PREPAID		FW		FW		FW
				$28,969.59		$34,196.56		$743.77		$31,700.98

PERRY, BROKE THIS DOWN PER LB, GAL & QT, DUE TO SOME COMPANIES BIDDING VARIOUS SIZE BAGS AND CASES.

QUANTITIES WERE NOT STATED ON SWIFT & SURE, SHADY TURF & ATHLETIC PRO, SO I ONLY PUT DOWN A LB PRICE.

Read the first time in full and on motion by Henry, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19__, at _____ o'clock _____ .M.,E.S.T.

DATED: 3-14-89

Nadejda Eskoff
~~SANDRA E. KENNEDY, CITY CLERK~~ Deputy

Read the third time in full and on motion by Henry, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
STIER	✓			
TALARICO	✓			

DATED: 3-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) (~~ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. S-49-89 on the 27th day of March, 1989,

ATTEST

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Charles B. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1989, at the hour of 2:15 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 6th day of April, 1989, at the hour of 4:00 o'clock P.M.,E.S.T.

P. Helmke
PAUL HELMKE, MAYOR

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-16-89 @ 11:00 AM BID REFERENCE # 1367

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR Golf course and park chemicals and seeds per specifications

AND REQUESTED BY Park Department.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ % IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Brayton Chemicals, Inc.

STREET ADDRESS 1952 W. Market St., PO Box 109

CITY Nappanee, IN 46550

BY _____ PHONE 219-773-7781
REPRESENTATIVE SIGNATURE

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 2-6-89

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Brayton Chemicals, Inc.
   Address: 1952 W. Market St.
   City/State: Nappanee, IN 46550
4. Telephone Number: 219-773-7781
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Elkhart) SS:
_____ COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Brayton Chemicals, Inc.,
Bidder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 6th day of February, 19 89.

Commission Expires: 3/01/91

County of Residence: Marshall

Joan M. Bremer
Notary Public

Joan M. Bremer
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price noted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____

_____ _____

_____ _____

1. Deduct from the amount payable to the contractor by the City of Fort Wayne under such contract a penalty of not less then Ten Dollars ($10.00) per day per violation, nor more than One Thousand Dollars (1,000.00) per day per violation. Each day on which a continuing violation exists shall be deemed a separate offense; or,

2. The City may cancel or terminate the contract, and all money due or to become due thereunder may be forfeited, for second or any subsequent violation of this section.

ATTACHMENT A

MBE/WBE COMMITMENT FORM

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

A._____ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership _____%.

For WBE specify percentage of women ownership _____%.

B._____ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm _____ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision), shall have _____% participation (employees) _____% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm ____%. (Cross out inapplicable provision.)

C. The undersigned commits _____% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms, which are proposed as subcontractors, are the following:

	NAME OF FIRM	ADDRESS	TYPE OF WORK
1.			
2.			
3.			

D. The undersigned commits _____% of the total bid price as a subcontract to women business enterprise participation. The WBE firms, which are proposed as subcontractors are the following:

	NAME OF FIRM	ADDRESS	TYPE OF WORK
1.			
2.			
3.			

ATTACHMENT A CONT'D

E. Complete (1.) and (2.) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons:_____

_____

_____

_____

2. We have taken the following steps in an attempt to comply with these participation goals:_____

_____

_____

_____

_____

(Attach additional sheets as necessary.)

Contractor:_____ Contractor:_____

By:_____ By:_____

Its:_____ Its:_____

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Brayton Chemicals, Inc. _____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of _____ Brayton Chemicals, Inc., that Brayton _____ does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 6th day of February, 19 89.

BRAYTON CHEMICALS, INC.
(Name of Bidder/Vendor)

Craig Tilley
(Name and Title of Person Signing)

B.R.

BBT BURLINGTON
Bank and Trust
P.O. Box 728 Burlington, IA 52601

5 013389

REMITTER Brayton Chemicals Inc. February 3, 1989 72-57/739

PAY TO THE ORDER OF City of Fort Wayne Board of Park Commissioners $ 1,406.98

BURLINGTON BANK ONE THOUSAND FOUR HUNDRED SIX dol's 98 cts DOLLARS

CASHIER'S CHECK

AUTHORIZED SIGNATURE

⑈050133891⑈ ⑆073900577⑆ 00⑈100 2⑈ 2⑈

HARLAND - FORM 701

TURF MARK

A BLUE/GREEN SPRAY INDICATOR FOR TURF USE

Great for golf courses

By adding TURF MARK™ blue spray indicator to the spraying system, turf management personnel will be able to accurately and uniformly apply pesticides and liquid fertilizers. The temporary mark will economically guide the applicator up and down fareways, around trees and hazards, or across greens and roughs. With the addition of TURF MARK™ to the spray solution homeowners will appreciate the ease of broadcast or spot treatment. Ground keepers will efficiently and accurately apply pesticides and fertilizers in parks, cemeteries, schools, office parks, and other high profile areas with TURF MARK™ guiding the applicator. This economical "mark as you spray" indicator will eliminate damaging or wasteful overlap and problem skips in application. TURF MARK™ is safe to humans, wildlife, and vegetation. Ingredients in this product are approved for use on non-crop areas by the Environmental Protection Agency.

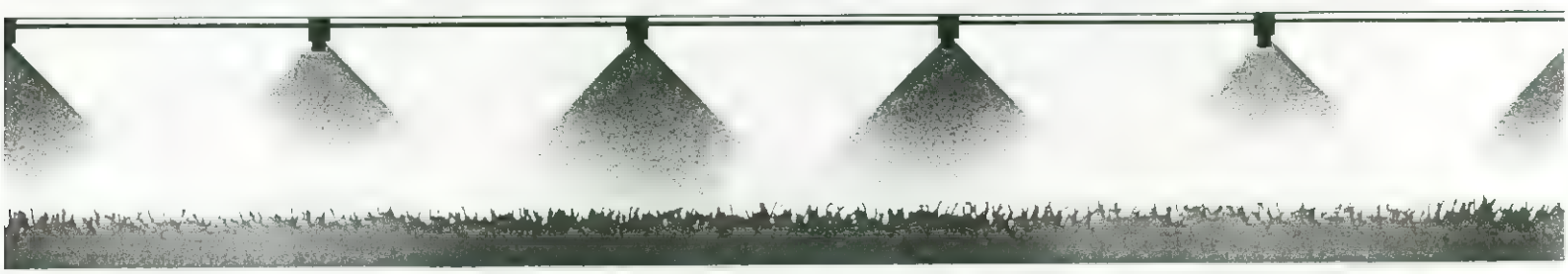
Homeowner use

TURF MARK™:

- Soluble in water, herbicides, fungicides, insecticides, and liquid fertilizers
- Environmentally safe
- Will not harm vegetation
- Leaves only a temporary mark
- Color breakdown by dew, rain, sprinkler irrigation, or normal sunlight
- Packaged in easy to handle containers of various sizes
- Economical to use

Professional landscaping

Give your dealer or distributor a call today and place your order for TURF MARK™ blue spray indicator. Compare for yourself the benefit of using TURF MARK™ blue spray indicator in your spraying system. You will **save** by buying TURF MARK™. For any assistance or the name of the distributor in your area, please give us a call.



Becker-Underwood • 701 Dayton Road • Ames, Iowa • Phone: 515-232-5907

BRAYTON CHEMICALS, INC

1952 WEST MARKET STREET
P.O. BOX 109
NAPPANEE, INDIANA 46550-0109
219/773-7781

February 6, 1989

To Whom It May Concern:

Re: Reference No. 1367, Closing Date 2-16-89, 11:00 a.m.

Attachment D, Affirmative Action Program, is being sent to you under separate cover from our corporate office in Iowa, completed by the compliance officer.

Thank you.

BRAYTON CHEMICALS, INC.
Craig Filley
Sales Manager

25 lb.	Penncross Bent Grass Seed	$ 9.00/lb	$ 225.00
50 lb.	Pennway Bent Grass Seed	$ No bid	$
50 lb.	Pennlinks Bent Grass Seed	$ No bid	$
N/A	Swift & Sure Grass Seed by Northrop King or equivalent	No bid $	$
N/A	Shady Turf Grass Seed by Northrop King	$ No bid	$
100 lb.	Northrop King 60-40 Grass Seed or equivalent	$ No bid	$
300 lb.	Overseeder II Grass Seed by Northrop King	$ No bid	$
	Athletic Pro II Grass Seed	$ No bid	$

Delivery Time after receipt of order: 14 days

FOB: Prepaid

If your company has bid an alternate of the chemicals specified, please enclose the description and product information for each item below:

Turf Mark Spray Indicator

CITY OF FORT WAYNE
BOARD OF PARK COMMISSIONERS
1989 REQUEST FOR PRICE BIDS ON GOLF COURSE AND PARK CHEMICALS & SEEDS

SUGGESTED QUANTITY	ITEM DESCRIPTION	PRICE/UNIT	TOTAL PRICE
5	Cala-Gran (40 lb. bag) 30. lb. bag	$67.50/bag	$ 337.50
3	Calo-Chlor (25 lb.)	$532.50/25 lb.	$1597.50
12	Daconil 2787 Liquid Flowable (2 x 2 1/2 gal.)	$147.00/cs	$1764.00
6	Trexsan (2 x 2 1/2 gal.)	$ 130.85/cs	$ 785.10
4	Proxsol 80 SP by Tuco (12 x 2 lb.)	$ 140.64/cs	$ 562.56
50	Aqua Grow (1 gal.)	$ No bid	$
1	Ferras Sulfate (50 lb. bag)	$ No bid	$
5	Bayleton (4 x 2.75 lb.)	$ 276.08/cs	$1380.40
180	Oftanol 5G (40 lb. bags)	$ 53.20/bag	$9576.00
4	Trexsan Bent (1 gal.)	$ No bid	$
2	Dursban 2E (4 x 1 gal.)	$ 180.80/cs	$ 361.60
2	Vorlan (6 x 2 lbs.)	$ 222.24/cs	$ 444.48
N/A	Clover Lapping Compound (7 lbs.)	$ No bid	$
	a. Fine Grit	$ No bid	$
	b. Course Grit	$ No bid	$
N/A	Duosan (6 x 2 lb.) 4x3 lb.	$ 121.56/cs	$ 121.56
3	Subdue by CIBA-GEIGY (4 x 1 gal.)	$ 571.00/cs	$ 1713.00
2	Limit (1 gal.)	$ No bid	$
3	Rubigan (2 x 1/2 gal.)	$ 201.40/cs	$ 604.20
N/A	Banner (1 gal.)	$ 225.00/ga	$ 225.00
N/A	Dyrene 4 (2 x 2 1/2 gal.)	$ 179.35/ga	$ 179.35/ga
15	Pramitol 25E (5 gal.)	$ 79.50/cs	$ 1192.50
40	Princep 4 L (2 1/2 gal.)	$ 24.48/ 2½ ga	$ 979.20

60	Balan	$ 15.50/bag	$ 930.00
3	Manzate 200 DF (6 x 6 lb.)	$ 82.56/cs	$ 247.68
2	Triumph Flowable (1 gal.)	$ 175.00/ga	$ 350.00
2	Acclaim (1 gal.)	$ 225.00/ga	$ 450.00
8	Round-up (1 gal.)	$ 71.50/ga	$ 572.00
4	Koban 30 (6 x 2 lb.)	$ 174.80/cs	$ 699.20
10	Blazon (1 gal.) Turf Mark	$ 25.00/ga	$ 250.00
13	Dacthal Flowable (2 x 2 1/2 gal.)	$ 67.04/cs	$ 871.52
1	Prograss (1 gal.)	$ 66.00/ga	$ 66.00
N/A	MCPP (2 x 2 1/2 gal.)	$ 79.70/cs	$ 79.70
N/A	Sevin (1 gal.)	$ No bid	$
5	Fresan (1 gal.)	$ 26.15/ga	$ 130.75
1	Banvil (1 gal.)	$ No bid	$
1	Banol (6 x 1 qt.)	$ 293.34/cs	$ 293.34
N/A	Milky Spore	$ No bid	$
N/A	Green Kleen	$ No bid	$
N/A	Chariot	$ No bid	$
N/A	Pana Sea	$ No bid	$
N/A	Spray Aide	$ No bid	$
N/A	Agri-Plex	$ No bid	$
N/A	Agri-Plex (4 x 1 gal.)	$ No bid	$
6	Fungo 50 (6 x 2 lb.)	$ 163.80/cs	$ 982.80
5	Surflan (or Trelan) (1 qt.)	$ 18.30/qt	$ 91.50
N/A	Sulphur Flowable (2 x 2 1/2 gal.)	$ 47.50/cs	$ 47.50
4	Anti-Foam by Kalo (12 x 1 qt.)	$ No bid	$
65	Ferromec (1 gal.)	$ No bid	$
N/A	Turf-Cal (2 x 2 1/2 gal.)	$ 28.75/cs	$ 28.75

lbed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 2-6-89

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Brayton Chemicals, Inc.
   Address: 1952 W. Market St.
   City/State: Nappanee, IN 46550
4. Telephone Number: 219-773-7781
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governal Unit) in accordance with the following attachment(s) which specify the class or item number or tion, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or ons in the items specified will render such bid void as to that class or item. Bidder promises that ot offered nor received a less price than the price stated in his bid for the materials included in . Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A d check or bond shall be filed with each bid if required, and liability for breach shall be enforcen the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. g is an example of the bid format:

or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

INDIANA)
lart) SS:
COUNTY)

he undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other epresentative, or agent of the firm, company, corporation or partnership represented by him, nto any combination, collusion or agreement with any person relative to the price to be bid by such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, this bid is made without reference to any other bid and without any agreement, understanding or on with any other person in reference to such bidding.

e further says that no person or persons, firms, or corporation has, have or will receive directly ctly, any rebate, fee, gift, commission or thing of value on account of such sale.

Brayton Chemicals, Inc.,
Bidder (Firm)

Signature of Bidder or Agent

ubscribed and sworn to before me this 6th day of February, 1989.

sion Expires: 3/01/91

Residence: Marshall

Notary Public

Joan M. Bremer
Notary Public Printed Name

ACCEPTANCE

here now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for Items numbered _____ and promises to pay the undersigned bidder upon delivery the price the materials stipulated in said bid.

Date: _____

ntracting Authority Members:

_____ _____
_____ _____
_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-16-89 @ 11:00 AM BID REFERENCE # 1367

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR Golf course and park chemicals and seeds per specifications

AND REQUESTED BY Park Department.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 0 %
IF PAID WITHIN _____ DAYS. TERMS: Net 30 days.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Cory Orchard Supply Co. div. of Chemi-Trol

STREET ADDRESS 425 S. Senate Ave,

CITY Indianapolis, IN 46225

BY D.O. Detmer, Jr. PHONE 317-634-7963
REPRESENTATIVE SIGNATURE

D.O. Detmer Jr

CITY OF FORT WAYNE
BOARD OF PARK COMMISSIONERS
1989 REQUEST FOR PRICE BIDS ON GOLF COURSE AND PARK CHEMICALS & SEEDS

SUGGESTED QUANTITY	ITEM DESCRIPTION	PRICE/UNIT	TOTAL PRICE
5	Cala-Gran (40 lb. bag)	$ 57.78	$ 288.90
3	Calo-Chlor (25 lb.)	$ 605.29	$ 1,815.87
12	Daconil 2787 Liquid Flowable (2 x 2 1/2 gal.)	$ 147.00	$ 1,764.50
6	Trexsan (2 x 2 1/2 gal.)	$ NO BID	$
4	Proxsol 80 SP by Tuco (12 x 2 lb.)	$ 128.08	$ 512.32
50	Aqua Grow (1 gal.) 5 gal.	$ 116.45	$ 1,164.50
1	Ferras Sulfate (50 lb. bag)	$ 5.00	$ 5.00
5	Bayleton (4 x 2.75 lb.)	$ 298.92	$ 1,494.60
180	Oftanol 5G (40 lb. bags)	$ 59.76	$ 10,756.80
4	Trexsan Bent (1 gal.)	$ NO BID	$
2	Dursban 2E (4 x 1 gal.)	$ 41.76	$ 83.52
2	Vorlan (6 x 2 lbs.)	$ 260.77	$ 521.54
N/A	Clover Lapping Compound (7 lbs.)	$ NO BID	$
	a. Fine Grit	$ "	$
	b. Course Grit	$ "	$
N/A	Duosan (6 x 2 lb.)	$ 142.24	$ N/A
3	Subdue by CIBA-GEIGY (4 x 1 gal.)	$ 643.52	$ 1,930.56
2	Limit (1 gal.)	$ 90.00	$ 180.00
3	Rubigan (2 x 1/2 gal.)	$ 213.04	$ 639.12
N/A	Banner (1 gal.)	$ 205.29	$ N/A
N/A	Dyrene 4 (2 x 2 1/2 gal.)	$ 194.11	$ N/A
15	Pramitol 25E (5 gal.)	$ 84.88	$ 1,273.20
40	Princep 4 L (2 1/2 gal.)	$ 30.81	$ 1,232.40

60	Balan	$ 19.28	$1,156.80
3	Manzate 200 DF (6 x 6 lb.)	$ 108.40	$ 325.20
2	Triumph Flowable (1 gal.)	$ 159.12	$ 318.24
2	Acclaim (1 gal.)	$ 260.67	$ 521.34
8	Round-up (1 gal.)	$ 80.25	$ 642.00
4	Koban 30 (6 x 2 lb.)	$ 202.22	$ 808.88
10	Blazon (1 gal.)	$ NO BID	$
13	Dacthal Flowable (2 x 2 1/2 gal.)	$ 164.50/case	$2,138.50
1	Prograss (1 gal.)	$ 62.11	$ 62.11
N/A	MCPP (2 x 2 1/2 gal.)	$ 52.64	$N/A
N/A	Sevin (1 gal.)	$ NO BID	$
5	Presan (1 gal.)	$ 22.41	$ 112.05
1	Banvil (1 gal.)	$ 63.45	$ 63.45
1	Banol (6 x 1 qt.)	$ 310.56	$ 310.56
N/A	Milky Spore	$ NO BID	$
N/A	Green Kleen	$ "	$
N/A	Chariot	$ "	$
N/A	Pana Sea	$ "	$
N/A	Spray Aide	$ 18.75	$ N/A
N/A	Agri-Plex	$ NO BID	$
N/A	Agri-Plex (4 x 1 gal.)	$ "	$
6	Fungo 50 (6 x 2 lb.)	$ 189.33	$ 1,135.98
5	Surflan (or Trelan) (1 qt.)	$ 20.00	$ 100.00
N/A	Sulphur Flowable (2 x 2 1/2 gal.)	$ 43.84/case	$ N/A
4	Anti-Foam by Kalo (12 x 1 pt.)	$ 59.28/case	$ 237.12
65	Ferromec (1 gal.)	$ 6.76	$ 439.40
N/A	Turf-Cal (2 x 2 1/2 gal.)	$ NO BID	$

25 lb.	Penncross Bent Grass Seed	$ 7.73/#	$ 193.25
50 lb.	Pennway Bent Grass Seed	$ 6.12/#	$ 306.00
50 lb.	Pennlinks Bent Grass Seed	$ 8.37/#	$ 418.50
N/A	Swift & Sure Grass Seed by Northrop King or equivalent	$ 1.64/#	$ N/A
N/A	Shady Turf Grass Seed by Northrop King	$ 2.16/#	$ N/A
100 lb.	Northrop King 60-40 Grass Seed or * equivalent SR Champion Blend	$ .75/#	$ 75.00
300 lb.	Overseeder II Grass Seed by Northrop King	$ 2.32/#	$ 696.00
	Athletic Pro II Grass Seed	$ 2.14/#	$

Delivery Time after receipt of order: 21 days

FOB: your dock

If your company has bid an alternate of the chemicals specified, please enclose the description and product information for each item below:

Attachment C

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of _____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of _____, that _____ does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this _____ day of _____, 19___.

_____
(Name of Bidder/Vendor)

_____
(Name and Title of Person Signing)

FIREMAN'S FUND INSURANCE COMPANY
THE AMERICAN INSURANCE COMPANY
NATIONAL SURETY CORPORATION
ASSOCIATED INDEMNITY CORPORATION
AMERICAN AUTOMOBILE INSURANCE COMPANY

FIREMAN'S FUND INSURANCE COMPANIES

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we,
CORY ORCHARD SUPPLY, DIVISION OF CHEMI-TROL CHEMICAL COMPANY
as Principal, hereinafter called the Principal, and

THE AMERICAN INSURANCE COMPANY

a corporation duly organized under the laws of the State of NEW JERSEY
as Surety, hereinafter called the Surety, are held and firmly bound unto

CITY OF FORT WAYNE PURCHASING DEPARTMENT

as Obligee, hereinafter called the Obligee, in the sum of

FIVE PERCENT OF ACCOMPANYING BID Dollars ($

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

GOLF COURSE CHEMICALS, SEEDS AND FERTILIZERS

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 16TH day of FEBRUARY A.D. 19 89

Kathleen A Kraak
(Witness)

CORY ORCHARD SUPPLY, DIVISION OF CHEMI-TROL
(Principal) (Seal)
CHEMICAL COMPANY
Ass't General Manager
(Title)
D.O. Detmer, Jr.

Sandra J. Warner
(Witness)

THE AMERICAN INSURANCE COMPANY
(Surety) (Seal)
BY: Nick J. Rutigliano
Attorney in fact
NICK J. RUTIGLIANO

360541—4-75

GENERAL
POWER OF
ATTORNEY

THE AMERICAN INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That THE AMERICAN INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of New Jersey, and having its principal office in the City and County of San Francisco, California, has made, constituted and appointed, and does by these presents make, constitute and appoint

-----NICK J. RUTIGLIANO-----

INDIANAPOLIS, IN

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of THE AMERICAN INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment.* The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority.* The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of THE AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 28th day of September, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, THE AMERICAN INSURANCE COMPANY has caused these presents to be signed by its Vice-President.

and its corporate seal to be hereunto affixed this 29th day of April 19 85 .

THE AMERICAN INSURANCE COMPANY

By Richard Williams
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN } ss.

On this 29th day of April, 19 85, before me personally came Richard Williams, to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of THE AMERICAN INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
Principal Office in Marin County
My Commission Expires Nov. 17, 1988

Susie K Gilbert
Notary Public

CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF MARIN } ss.

I, the undersigned, Resident Assistant Secretary of THE AMERICAN INSURANCE COMPANY, a NEW JERSEY Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the County of Marin. Dated the 16th day of February, 19 89 .

Loretta E. Anstey
Resident Assistant Secretary

360711-TA-5-81

scribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 2/16/89

1. Governmental Unit: _____
2. County: Marion
3. Bidder (Firm): Cory Orchard Supply Co. div. of Chemi-Trol
   Address: 425 S. Senate Ave.
   City/State: Indianapolis, IN 46225
4. Telephone Number: 317-634-7963
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to _____ (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or variations in the items specified will render such bid void as to that class or item. Bidder promises that if not offered nor received a less price than the price stated in his bid for the materials included in his bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforced upon the contract, the bond or certified check or both as the case may be.

D. O. Detmer Jr.
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. The following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Marion COUNTY) SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other officer, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by him at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or collusion with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Cory Orchard Supply Co. div. of Chemi-Trol
Bidder (Firm)

D. O. Detmer Jr.
Signature of Bidder or Agent

Subscribed and sworn to before me this 16 day of February, 19 89. D.O.Detmer, Jr.

Commission Expires: April 12, 1992

County of Residence: Marion

Kathleen A. Shank
Notary Public

Kathleen A. Shank
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for Class or Items numbered _____ and promises to pay the undersigned bidder upon delivery the price for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: 2-16-89 @ 11:00 AM BID REFERENCE # 1367

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A. M., ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR Golf course and park chemicals and seeds per specifications

AND REQUESTED BY Park Department.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED ON THE THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED CHECK, OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: N/A % IF PAID WITHIN N/A DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Allen County Co-op Ass'n., Inc.

STREET ADDRESS 440 Mourey Street

CITY New Haven, In. 46774

BY James M. McKinley Treas PHONE 219-749-5139
REPRESENTATIVE SIGNATURE

FP-1

SCHEDULE

1. The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of $ 31,697.03 . (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivere as follows:

½ each to Maumee Park and Foster Park maintenance barns
unless otherwise specified before April 30, 1989

/__/ 2. LIQUIDATED DAMAGES PROVISION. It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the time spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of $_____ per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the failure to perform is caused

CITY OF FORT WAYNE
BOARD OF PARK COMMISSIONERS
1989 REQUEST FOR PRICE BIDS ON GOLF COURSE
AND PARK CHEMICALS & SEEDS

SUGGESTED QUANTITY	ITEM DESCRIPTION	PRICE/UNIT	TOTAL PRICE
5	Cala-Gran (40 lb. bag)	$ No Bid	$ - - - -
3	Calo-Chlor (25 lb.)	$ No Bid	$ - - - -
12	Daconil 2787 Liquid Flowable (2 x 2 1/2 gal.)	$ 172.94	$ 2075.28
6	Trexsan (2 x 2 1/2 gal.)	$ 151.47	$ 908.82
4	Proxsol 80 SP by Tuco (12 x 2 lb.)	$ 162.07	$ 648.28
50	Aqua Grow (1 gal.)	$ 24.41	$ 1220.50
1	Ferras Sulfate (50 lb. bag)	$ 8.45	$ 8.45
5	Bayleton (4 x 2.75 lb.)	$ 331.25	$ 1656.25
180	Oftanol 5G (40 lb. bags)	$ 63.77	$ 11478.60
4	Trexsan Bent (1 gal.)	$ No Bid	$ - - - -
2	Dursban 2E (4 x 1 gal.)	$ No Bid	$ - - - -
2	Vorlan (6 x 2 lbs.)	$ 264.60	$ 529.20
N/A	Clover Lapping Compound (7 lbs.)	$ No Bid	$ - - - -
	a. Fine Grit	$ No Bid	$ - - - -
	b. Course Grit	$ No Bid	$ - - - -
N/A	Duosan (6 x 2 lb.)	$ No Bid	$ - - - -
3	Subdue by CIBA-GEIGY (4 x 1 gal.)	$ 169.35	$ 508.05
2	Limit (1 gal.)	$ No Bid	$ - - - -
3	Rubigan (2 x 1/2 gal.)	$ 236.94	$ 710.82
N/A	Banner (1 gal.)	$ 211.76	$ 211.76
N/A	Dyrene 4 (2 x 2 1/2 gal.)	$ 204.35	$ 204.35
15	Pramitol 25E (5 gal.)	$ 82.35	$ 1235.25
40	Princep 4 L (2 1/2 gal.)	$ 33.48	$ 1339.20

60	Balan 40 lb. Bag	$ 20.30	$ 1218.00
3	Manzate 200 DF (8 x 6 lb.)	$ 114.17	$ 342.51
2	Triumph Flowable (1 gal.)	$ No Bid	$ - - -
2	Acclaim (1 gal.)	$ 294.12	$ 588.24
8	Round-up (1 gal.)	$ 79.90	$ 639.20
4	Koban 30 (6 x 2 lb.)	$ 204.70	$ 818.80
10	Blazon (1 gal.)	$ No Bid	$ - - -
13	Dacthal Flowable (2 x 2 1/2 gal.)	$ 192.94	$ 2508.22
1	Prograss (1 gal.)	$ No Bid	$ - - -
N/A	MCPP (2 x 2 1/2 gal.)	$ No Bid	$ - - -
N/A	Sevin (1 gal.)	$ No Bid	$ - - -
5	Presan (1 gal.)	$ 30.72	$ 153.60
1	Banvil (1 gal.)	$ 72.12	$ 72.12
1	Banol (6 x 1 qt.)	$ 326.96	$ 326.96
N/A	Milky Spore	$ No Bid	$ - - -
N/A	Green Kleen	$ No Bid	$ - - -
N/A	Chariot	$ No Bid	$ - - -
N/A	Fana Sea	$ No Bid	$ - - -
N/A	Spray Aide	$ No Bid	$ - - -
N/A	Agri-Plex	$ No Bid	$ - - -
N/A	Agri-Plex (4 x 1 gal.)	$ No Bid	$ - - -
6	Fungo 50 (6 x 2 lb.)	$ 192.00	$ 1152.00
5	Surflan (or Trelan) (1 qt.)	$ 19.00	$ 95.00
N/A	Sulphur Flowable (2 x 2 1/2 gal.)	$ No Bid	$ - - -
4	Anti-Foam by Kalo (12 x 1 qt.)	$ No Bid	$ - - -
65	Ferromec (1 gal.) 2x2.5	$ 32.36	$ 420.68
N/A	Turf-Cal (2 x 2 1/2 gal.)	$ No Bid	$ - - -

25 lb.	Penncross Bent Grass Seed	$ 220.59	$ 220.59
50 lb.	Pennway Bent Grass Seed	$ 203.15	$ 406.30
50 lb.	Pennlinks Bent Grass Seed	$ No Bid	$ - - -
N/A	Swift & Sure Grass Seed by Showcase Northrop King or equivalent	$ 1.70 Lb.	$
N/A	Shady Turf Grass Seed by Northrop King	$ No Bid	$ - - -
100 lb.	Northrop King 60-40 Grass Seed or equivalent	$ No Bid	$ - - -
300 lb.	Overseeder II Grass Seed by Northrop King	$ No Bid	$ - - -
	Athletic Pro II Grass Seed Triple Crown	$ 2.25 Lb.	$

Delivery Time after receipt of order: Before April 30, 1989

FOB: All Prices Quoted Delivered

If your company has bid an alternate of the chemicals specified, please enclose the description and product information for each item below:

SHOWCASE GRASS SEED

15% Classic Kentucky Bluegrass

15% Park Kentucky Bluegrass

30% Pennlawn Creeping Red Fescue

20% Derby Perennial Ryegrass

20% Regal Perennial Ryegrass

TRIPLE CROWN GRASS SEED

25% Merit Kentucky Bluegrass

15% Glade Kentucky Bluegrass

10% Classic Kentucky Bluegrass

25% Regal Perennial Ryegrass

25% Derby Perennial Ryegrass

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Allen County Co-op Ass'n., Inc. _____, does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of Allen County Co-op Ass'n., Inc., that Allen County Co-op Ass'n., Inc. does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed this 15 day of February, 1989.

Allen County Co-op Ass'n., Inc.
(Name of Bidder/Vendor)

James M. McKinley Treas.
(Name and Title of Person Signing)

UNITED STATES FIDELITY AND GUARANTY COMPANY

(A Stock Company)

BID BOND

BOND NUMBER .....

KNOW ALL MEN BY THESE PRESENTS:

THAT Allen County Cooperative Association, Inc.

..... of New Haven, Indiana

....., as Principal , and UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland corporation, as Surety, are held and firmly bound unto.....

City of Ft. Wayne Board of Park Commissioners

as Obligee, in the full and just sum of.----One Thousand Five Hundred Eighty Four Dollars and Eighty Six Cents----------($1,584.86)---------- Dollars, lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Principal is herewith submitting its proposal to furnish chemicals and seeds.

THE CONDITION OF THIS OBLIGATION is such that if the aforesaid Principal shall be awarded the contract the said Principal will, within the time required, enter into a formal contract and give a good and sufficient bond to secure the performance of the terms and conditions of the contract, then this obligation to be void; otherwise the Principal and Surety will pay unto the Obligee the difference in money between the amount of the bid of the said Principal and the amount for which the Obligee legally contracts with another party to perform the work if the latter amount be in excess of the former, but in no event shall liability hereunder exceed the penal sum hereof.

Signed, sealed and delivered February 16, 1989
(Date)

Allen County
Cooperative Association, Inc. (SEAL)

James M. McKinley Treas (SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

Bonita A. Freed
Attorney-in-fact

Bonita A. Freed

Contract 11 (Revised) (1-74)

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: February 15, 1989

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Allen County Co-op Ass'n., Inc.
   Address: 440 Mourey Street
   City/State: New Haven, In. 46774
4. Telephone Number: 219-749-5139
5. Agent of Bidder (If applicable): N/A

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James M. McKinley Treas.
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
Golf Course and Park Chemicals and Seed			See PS-1, PS-2, & PS-3		$31,697.03

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
ALLEN COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Allen County Co-op Ass'n., Inc.
Bidder (Firm)

James M. McKinley Treas.
Signature of Bidder or Agent

Subscribed and sworn to before me this 15 day of February 1989.

Mary E. Bradtmiller
Notary Public

My Commission Expires: Feb. 17, 1990

County of Residence: Allen

Mary E. Bradtmiller
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____

_____

_____

_____

_____

_____

BILL NO. S-89-03-02

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
MARK E. GiaQUINTA, VICE CHAIRMAN
BRADBURY, SCHMIDT, STIER

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #1367 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and BRAYTON CHEMICALS, INC.; CORY ORCHARD SUPPLY CO.; AND ALLEN COUNTY CO-OP ASS'N., INC. for the Park Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Thomas C. Henry			
Mark E. GiaQuinta			

DATED: 3-27-89.

Sandra E. Kennedy
City Clerk